

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WALTER H. HOLLOWAY,

Plaintiff,

vs.

UNIVERSITY OF NEBRASKA, CITY
PARKING CLERK, and CITY OPERATOR OF
VEHICLE,

Defendants.

8:24CV278

MEMORANDUM AND ORDER

On July 11, 2024, Plaintiff Walter H. Holloway filed an unsigned Complaint ([Filing No. 1](#)) and a Motion for Leave to Proceed in Forma Pauperis (“IFP”) ([Filing No. 2](#)). Upon review of Plaintiff’s IFP Motion, the Court finds that Plaintiff is financially eligible to proceed in forma pauperis. However, further review of this case cannot take place at this time until Plaintiff corrects the following deficiency.

On July 11, 2024, the Clerk of Court advised Plaintiff that his Complaint was unsigned and therefore deficient. The Clerk of Court directed Plaintiff to “correct the deficiency” (i.e., file a signed Complaint) within 14 days, or the pleading “may be stricken from the record of this case.” (Filing No. 3, Text Order.) On July 29, 2024, the text notice of deficiency sent by the Clerk of Court to Plaintiff was returned to this Court as undeliverable.¹ (See [Filing No. 8](#).) Upon review of the Court’s records, it appears the address the Court has on file is incorrect and does not match the address in the Complaint. Accordingly, the Court will direct the Clerk to update Plaintiff’s address to match the address in the Complaint and to resend the text notice of deficiency, and the Court will give Plaintiff additional time to file a signed Complaint.

To be clear, Plaintiff is ordered to file a signed Complaint in accordance with [Federal Rule of Civil Procedure 11](#) and the Court’s Local Rules. This matter cannot proceed until the signature deficiency is corrected. FAILURE TO CORRECT THE DEFECT WITHIN 30 DAYS WILL RESULT IN DISMISSAL OF THE COMPLAINT WITHOUT FURTHER NOTICE.

¹ The copy of the reassignment order ([Filing No. 7](#)) mailed to Plaintiff was also returned to the Court as undeliverable. ([Filing No. 9](#).)

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion to Proceed IFP ([Filing No. 2](#)) is granted, and the Complaint shall be filed without payment of fees.

2. Plaintiff is directed to correct the above-listed technical defect on or before **September 4, 2024**. Failure to comply with this Memorandum and Order will result in dismissal of this matter without prejudice and without further notice.

3. The Clerk of Court is directed to update Plaintiff's address in the Court's records and to re-send to Plaintiff the text notice of deficiency (Filing No. 3) and a copy of the reassignment order ([Filing No. 7](#)) to the following address: 1601 Park Ave, Apt. 603, Omaha, NE 68105.

4. The Clerk of Court is directed to set a pro se case management deadline using the following text: **September 4, 2024**: deadline for signed Complaint.

Dated this 5th day of August, 2024.

BY THE COURT:

s/ Susan M. Bazis
United States District Judge